

WAYNE P. VANCE, 1283682,

PLAINTIFF,

-AGAINST-

THE STATE OF NEW YORK DEPARTMENT OF  
CORRECTIONS AND COMMUNITY SUPERVISION, ETAL,  
DEFENDANTS.

MEMORANDUM OF LAW  
IN SUPPORT OF MY AFFADIVIT  
CIVIL CASE NO.  
9:18-CV-00748-MAD-NTB

## STATEMENT OF FACTS

1. THE GOVERNMENT OFFICIALS, OFFICERS OR EMPLOYEES ARE NAMED AS THE DEFENDANTS IN THE TIMELY FILED SUPPLEMENTAL COMPLAINT PART 1, 2, 3 AND 4 DUE TO THE FACTS SET FORTH IN THIS CIVIL ACTION FOR THE DEMONDS AND LIABILITY OF EVERY KIND AN NATURE, LEGAL OR EQUITABLE FOR SAID DAMAGES SUSTAINED BY THE PLAINTIFF, ME, WAYNE PHILLIP VANCE SENIOR AND MY FAMILY MEMBERS, FRIENDS AND RELATIVES SOLELY ON ACCOUNT OF A TORT OF AN EMPLOYEE OF THE FEDERAL OR STATE GOVERNMENT WHILE ACTING AS SUCH EMPLOYEE ON THE JOB.

2. THE UNITED STATES GOVERNMENT HAS BEEN APPLYING THEIR SCIENCES AND USING ADVANCED TECHNOLOGY TO MANIPULATE THE ACTIONS OF THE PLAINTIFF ME, WAYNE PHILLIP VANCE SENIOR AND MY FAMILY MEMBERS, FRIENDS, RELATIVES AND OTHER PEOPLE TO PROMOTE AN INHERITED DESTRUCTIVE LIFESTYLE OF PROMISCUOUS SEX, ALCONOL AND DRUG ABUSE, VIOLENCE, CRIME, INCARCERATION AND OTHER ACTIVITIES TO MANIFEST OUR DESTINY THROUGH THE MEDIA, SCIENCE AND TECHNOLOGY WHILE STUDYING, DOCUMENTING AND RECORDING OUR PSYCHOLOGICAL AND BEHAVIORAL CHARACTERISTICS THROUGH SYSTEMATIC OBSERVATION, TESTING, EXPERIMENT, FORMULATION, MEASUREMENT AND MODIFICATION OF HYPOTHESIS. THE LONG CHAIN OF EVENTS HAD LEAD TO MY ARREST FOR THE JUSTIFIABLE HOMICIDE OF MR. FREDERICK GELSEY JUNIOR, THE DELIBERATE SABOTAGING OF MY ENTIRE CRIMINAL CASE BY THE U.S GOVERNMENT OR PEOPLE, AND THE ACCEPTANCE OF A PLEA OF GUILTY BY ERIE COUNTY JUDGE MICHAEL F. PIETRUSZKA TO SENTENCE ME TO A DETERMINATE TERM OF 23 YEARS WITHOUT THE PRESENTMENT OF A LEGITIMATE INDICTMENT TO PLACE ME IN PRISON ILLEGALLY TO HAVE THE DEFENDANTS CONTINUOUSLY ABUSE ME AND REPEATEDLY VIOLATE MY HUMAN RIGHTS WHILE TRYING TO DISTRACT, DISCOURAGE AND PREVENT ME FROM SEEKING TO BE RELEASED FROM THIS UNLAWFUL

IMPRISONMENT AND COMPENSATED FOR THE DAMAGES SUSTAINED AS A RESULT OF THEIR WRONGFUL ACTIONS THROUGHOUT THIS UNLAWFUL IMPRISONMENT FOR WELL OVER 8<sup>1</sup>/<sub>2</sub> YEARS.

3. THE DEFENDANTS HAS BEEN PARTICIPATING IN THE DANGEROUS, VICIOUS, IMMORAL AND OPPRESSIVE ACTIVITIES UNDERLYING THE CLAIMS SET FORTH IN THIS CIVIL ACTION SO THAT THEY WOULD BE ABLE TO (a) NEGLECT MY BASIC HUMAN NEEDS THROUGHOUT THIS UNLAWFUL IMPRISONMENT; (b) KEEP ME HOUSED IN UNCLEAN AND HOSTILE ENVIRONMENTS; (c) PHYSICALLY AND VERBALLY ASSAULT ME ON DIFFERENT OCCASIONS; (d) WRONGFULLY CONFINED ME TO A VARIETY OF CELLS ON DIFFERENT OCCASIONS; (e) PREVENT ME FROM BEING RELEASED FROM THIS UNLAWFUL IMPRISONMENT AND COMPENSATED FOR THE DAMAGES SUSTAINED AS A RESULT OF THEIR WRONGFUL ACTIONS THROUGHOUT THIS UNLAWFUL IMPRISONMENT; (f) PREVENT ME FROM GOING TO THE GENERAL LIBRARY, LAW LIBRARY, GYM, YARD, WEIGHT SHACK, SHOWERS, FAMILY REUNION EVENTS, VISITS, PROGRAMS, WORK, RELIGIOUS SERVICES, COMMISSARY, PACKAGE ROOM, BARBERSHOP, MESS HALL, STATE SHOP, GRIEVANCE OFFICE, DISCIPLINARY HEARINGS, COUNSELOR OFFICE, MENTAL HEALTH UNIT, MEDICAL UNIT, OUTSIDE COURTS AND HOSPITALS AT CERTAIN POINTS THROUGHOUT THIS UNLAWFUL IMPRISONMENT; (g) PREVENT ME FROM INTERACTING WITH MY FAMILY, FRIENDS, RELATIVES AND OTHER PEOPLE ON A REGULAR BASIS; (h) PREVENT ME FROM RECEIVING MONEY, PACKAGES AND MAIL ON A REGULAR BASIS; (i) USE ELECTRONIC COMMUNICATIONS TO HARASS ME AND OTHER PEOPLE, COMPUTERS AND INFORMATION TECHNOLOGY TO CAUSE SEVERE DISRUPTION OR WIDESPREAD FEAR IN SOCIETY OR PRISON, AND COMPUTERS TO ATTACK COMMUNICATION AND OTHER SYSTEMS TO DISRUPT MY ACTIVITIES ON A ALL DAY EVERY DAY BASIS THROUGHOUT THIS UNLAWFUL IMPRISONMENT; (j) USE ME AND MY FAMILY, FRIENDS AND RELATIVES TO HELP THE PEOPLE ADVANCE SOCIALLY AND ECONOMICALLY WITHOUT COMPENSATING US FOR OUR GREAT SERVICES, EFFORTS, ACHIEVEMENTS AND DAMAGES SUSTAINED AS A RESULT OF THEIR WRONGFUL ACTIONS THROUGHOUT THIS UNLAWFUL IMPRISONMENT; (k) REPEATEDLY VIOLATE MY RIGHT TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES SO THAT THEY WOULD BE ABLE TO CONTINUOUSLY ABUSE ME AND REPEATEDLY VIOLATE MY HUMAN RIGHTS THROUGHOUT THE COURSE OF MY WHOLE LIFE; (l) USE CORRECTIONAL STAFF AND OTHER PEOPLE TO CAUSE ME ALL TYPES OF PROBLEMS THROUGHOUT THIS UNLAWFUL IMPRISONMENT; (m) ATTEMPT TO CAUSE STRESS RELATED DISEASES, ILLNESSES OR OTHER HEALTH COMPLICATIONS TO SHORTEN THE LIFE SPAN OF THE PLAINTIFF, ME, WAYNE PHILLIP VANCE SENIOR AND MY FAMILY MEMBERS, FRIENDS AND RELATIVES;

CASE NO. 1:18-cv-00488-SPB Document 163 Filed 06/07/21 Page 3 of 7  
AND (N) CASE NO. 1:18-cv-00488-SPB FROM A WIDE RANGE OF MEDICAL PROBLEMS WHICH ARE DESCRIBED IN MY SUPPLEMENTAL COMPLAINT AND SUPPORTING EXHIBITS, ETC. [PLEASE SEE MY SUPPLEMENTAL COMPLAINT AND EXHIBITS] [PLEASE REVIEW THE AUDIO VIDEO FOOTAGE OF MY DEPOSITION ON MAY 21, 2021]

4. I AM IN THE CARE AND CUSTODY OF THE OPPRESSIVE DEFENDANTS SO I AM UNABLE TO ACCESS LEGAL MATERIALS TO PROVIDE THE STATUTE PROVISIONS, CITATION AND RESEARCH THE LAWS RELEVANT TO THIS CASE. I HAVE PERFECTED THIS APPLICATION TO THE BEST OF MY ABILITIES WITHOUT THE ASSISTANCE OF COUNSEL AND ACCESS TO LEGAL MATERIALS.

5. THE CONSTITUTIONAL BASIS FOR THE CLAIMS SET FORTH IN THIS CIVIL ACTION IS THAT THE PLAINTIFF HAS A RIGHT TO PEACEABLY ASSEMBLE THE PEOPLE UNDER THE 1ST AMENDMENT OF THE U.S. CONSTITUTION, AND THAT HE HAS A RIGHT TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES UNDER THE 1ST AMENDMENT OF THE U.S. CONSTITUTION, AND THAT HE HAS A RIGHT TO BE SECURE IN HIS PERSON, HOUSES, PAPERS AND EFFECTS AGAINST UNREASONABLE SEARCHES AND SEIZURES UNDER THE 4TH AMENDMENT OF THE UNITED STATES CONSTITUTION, AND THAT HE SHALL NOT BE HELD TO ANSWER FOR A INFAMOUS CRIME WITHOUT AN INDICTMENT OF A GRAND JURY UNDER THE 5TH AMENDMENT OF THE U.S. CONSTITUTION; AND THAT HE SHALL NOT BE SUBJECT TO CRUEL AND UNUSUAL PUNISHMENT UNDER THE 8TH AMENDMENT OF THE U.S. CONSTITUTION; AND THAT HE SHALL NOT BE SUBJECT TO SLAVERY NOR INVOLUNTARY SERVITUDE EXCEPT AS PUNISHMENT FOR A CRIME WHEREOF HE SHALL HAVE BEEN DULY CONVICTED UNDER THE 13TH AMENDMENT OF THE U.S. CONSTITUTION; AND THAT HE SHALL NOT BE **DERIVED** OF LIFE, LIBERTY OR PROPERTY WITHOUT DUE PROCESS AND THE EQUAL PROTECTION OF THE LAWS UNDER THE 5TH AND 14TH AMENDMENT OF THE U.S. CONSTITUTION.

6. I AM SEEKING COMPENSATORY AND PUNITIVE DAMAGES ALONG WITH ~~THE~~ INJUNCTIVE RELIEF FOR ALL CLAIMS SET FORTH IN THE SUPPLEMENTAL COMPLAINT FILED IN THIS MATTER.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER DENYING THE DEFENDANT'S MOTION FOR A SUMMARY JUDGEMENT BECAUSE THEY MUST BE HELD ACCOUNTABLE FOR THEIR WRONGFUL ACTIONS AS DESCRIBED IN THIS CIVIL ACTION, AND THAT I AM ENTITLED TO A TRIAL BY JURY-~~WHO SHALL~~ EXAMINE ALL EVIDENCE IN SUPPORT OF ALL CLAIMS SET FORTH IN THIS CIVIL ACTION AND RENDER A VERDICT AS THE FACT FINDER IN THIS CASE.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF A SUMMARY JUDGEMENT FOR THE RELIEF REQUESTED IN MY SUPPLEMENTAL COMPLAINT BECAUSE THE DEFENDANTS HAS DEMONSTRATED THAT THEY ARE UNABLE TO RAISE ANY LEGITIMATE DEFENSE(S) TO DEFEND THEMSELVES AGAINST ALL CLAIMS SET FORTH IN THE SUPPLEMENTAL COMPLAINT PART 1, 2, 3 AND 4. THE DEFENDANT HAS DELIBERATELY SABOTAGED THIS ENTIRE CIVIL CASE, FAILED TO FOLLOW PROCEDURES AND PROLONGED THIS CIVIL CASE FOR APPROXIMATELY 3 YEARS WHILE PARTICIPATING IN THE DANGEROUS, VICIOUS, IMMORAL AND OPPRESSIVE ACTIVITIES UNDERLYING THE CLAIMS SET FORTH IN THIS CIVIL ACTION. THE DEFENDANTS HAS ABSOLUTELY NO CHANCE OF SUCCEEDING AT TRIAL DUE TO THE FACTS AND CIRCUMSTANCES OF THIS CASE.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROVIDE ~~HIM~~ WITH ONE MILLION DOLLARS CASH IN A SPECIALLY DESIGNED SUITCASE ON THE DAY OF MY RELEASE FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROVIDE HIM WITH A COPY OF HIS DRIVER LICENSE, BIRTH CERTIFICATE, SOCIAL SECURITY CARD, AND GENERAL EQUIVALENCY DIPLOMA ON THE DAY OF MY RELEASE FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROVIDE HIM WITH A HIGH END VERSACE DESIGNED OUTFIT, SHOES, SOCKS, BELT, HAT, WALLET, GLASSES AND FRAGRANCE TO WEAR HOME ON THE DAY OF MY RELEASE FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROVIDE HIM WITH A HIGH END DESIGNER WATCH, A CUBAN LINK GOLD CHAIN WITH DIAMOND CUTS AND WHITE GOLD, A CUBAN LINK GOLD BRACELET WITH DIAMOND CUTS AND WHITE GOLD, A GOLD CHARM WITH A HIGHER GRADE OF REAL DIAMONDS AND OTHER SPECIAL FEATURES,



A ~~GOLD~~ PINKY RING WITH A HIGH GRADE OF REAL DIAMONDS, AND A ACTIVATED SMART PHONE CONTAINING THE CONTACT INFORMATION OF MY FAMILY MEMBERS, FRIENDS, RELATIVES AND OTHER PEOPLE WHICH SHALL BE GIVEN TO ME ON THE DAY OF MY RELEASE FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROVIDE FOR HIM TO RECEIVE A HAIRCUT FROM A GREAT BARBER ATLEAST A FEW DAYS BEFORE HIS RELEASE FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO PROVIDE HIM WITH A VALID INTERNATIONAL BUN LICENSE, A GOVERNMENT ISSUED FULLY LOADED GLOCK 40, AND A BLACK HOLSTER WHICH SHALL BE SIGNED OVER TO HIM ON THE DAY OF HIS RELEASE FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE HIM WITH 3 HIGH END RESORT STYLE CONDOMINIUM APARTMENTS ON DIFFERENT FLOORS OF A BUILDING IN THE SYRACUSE OR BUFFALO REGION OF THE STATE OF NEW YORK SO THAT HE WILL BE ABLE TO RESIDE ON THE SAME PREMISE WITH HIS CHILDREN AND THEIR MOTHERS DIRECTLY AFTER BEING RELEASED FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE FOR HIS CHILDREN AND THEIR MOTHERS BRITANY L. MCCANTS AND SHAWNDRINA HICKS TO BE WAITING FOR HIM AT THEIR CONDOMINIUM APARTMENTS BY THE TIME OF HIS RELEASE FROM THE CUSTODY OF THE DEFENDANTS. THEY SHALL RECEIVE HEALTH CARE SERVICES AND INSURANCE; TRANSPORTATION SERVICES; RECREATION SERVICES; FOOD SERVICES AND ACCOMMODATIONS; FINANCIAL SUPPORT, SERVICES AND INSURANCE; TELECOMMUNICATION SERVICES; POSTAL AND DELIVERY SERVICES; PERSONAL CARE AND CLOTHING SERVICES; HOUSEHOLD MAINTENANCE SERVICES; HOUSING AND UTILITIES SERVICES, ~~SECURITY SERVICES~~, PROFESSIONAL AND OTHER SERVICES.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE FOR HIS CHILDREN AND THEIR MOTHERS TO BE PROTECTED BY ASSIGNED BODYGUARDS AT ALL TIMES.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE HIM WITH A VARIETY OF BEAUTIFUL, INTELLIGENT AND SKILLED FEMALE BODYGUARDS WHO SHALL BE APPOINTED TO PROTECT AND SERVE HIM FROM THE TIME OF HIS RELEASE UNTIL HE DEPART FROM THIS WORLD.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE FOR HIS CHILDREN AND THEIR MOTHERS TO BE DRIVEN AROUND IN BRAND NEW BULLETPROOF HIGH END LUXURY VEHICLES WITH LUXURY AMENITIES, PRIVACY PANELS, TINTED WINDOWS AND OTHER SPECIAL FEATURES. THE DESIGNATED DRIVERS SHALL BE APPOINTED TO PROVIDE TRANSPORTATION SERVICES FOR THE PLAINTIFF'S CHILDREN AND THEIR MOTHERS ON DEMAND AT ALL TIMES.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE FOR HIM TO BE DRIVEN AROUND IN BRAND NEW BULLETPROOF HIGH END LUXURY VEHICLES WITH LUXURY AMENITIES, PRIVACY PANELS, TINTED WINDOWS AND OTHER SPECIAL FEATURES. THE DESIGNATED DRIVERS MUST BE BEAUTIFUL, INTELLIGENT AND SKILLED FEMALE DRIVERS WHO SHALL BE APPOINTED TO PROVIDE TRANSPORTATION SERVICES FOR THE PLAINTIFF ON DEMAND AT ALL TIMES. A FEMALE DESIGNATED DRIVER SHALL BE WAITING IN THE PARKING LOT OF THE PRISON WITH THE PLAINTIFF'S FEMALE BODYGUARD AND HIS COMPANION ON THE DAY OF HIS RELEASE FROM THE CUSTODY OF THE DEFENDANTS.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE HIM WITH A VERY BEAUTIFUL, INTELLIGENT, SKILLED AND HEALTHY FEMALE COMPANION WHO SHALL BE APPOINTED TO PROVIDE HIM WITH ASSISTANCE ON THE DAY OF HIS RELEASE FROM THE CUSTODY OF THE DEFENDANTS UNTIL HE DEPART FROM THIS WORLD.

WHEREFORE, I ASK THAT THIS COURT ENTER AN ORDER GRANTING THE PLAINTIFF'S DEMAND FOR THE U.S GOVERNMENT TO PROVIDE HIM WITH A LAB TOP COMPUTER CONTAINING SPECIAL PROGRAMS, DATA AND FILES SO THAT HE WILL BE ABLE TO TAP INTO HIS RESOURCES WITH THE ASSISTANCE OF HIS FEMALE COMPANIONS.

SUCH OTHER AND FURTHER RELIEF  
AS THIS COURT DEEMS JUST AND PROPER

7. FOR THE FOREGOING REASONS, THIS COURT SHALL GRANT A SUMMARY JUDGEMENT FOR THE RELIEF REQUESTED IN MY SUPPLEMENTAL COMPLAINT AND THIS MOTION, AND SUCH OTHER AND FURTHER RELIEF AS THIS COURT DEEMS JUST AND PROPER.

I DECLARE THAT THE FOREGOING INFORMATION IS CORRECT AND TRUE.

Wayne P. Vance  
WAYNE P. VANCE 1283682

SWORN TO BEFORE ME ON THE 28<sup>th</sup> DAY  
OF May 2021.  
[Signature]  
NOTARY PUBLIC

